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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,629	10/24/2003	Victoria Marie Halsell	LUC-432/Halsell 12	8623
32205	7590	01/24/2006	EXAMINER	
CARMEN B. PATTI & ASSOCIATES, LLC ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			DOAN, KIET M	
			ART UNIT	PAPER NUMBER
			2683	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/692,629

Applicant(s)

HALSELL, VICTORIA MARIE

Examiner

Kiet Doan

Art Unit

2683

/ -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☒ Claim(s) 9, 17 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04/18/05
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

Claims 9, 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art record, Connolly (Patent No. 6,023,504) teach the apparatus of claim 7, wherein the second control component adds a billing record for the toll-free call to one or more billing records associated with the standard telephone number (C4, L1-11, teach created records for billing).

However, consider Connolly or combination are **fail to suggest or fairly teach** wherein the second control component consolidates the billing record of the toll-free call with the one or more billing records associated with the standard telephone number for an owner of the mobile phone.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. **Claim 1** is rejected under 35 U.S.C. 102(e) as being anticipated by Spadlin (Patent No. 5,946,623).

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Consider **claim 1**, Spadlin teaches an apparatus, comprising: one or more control components that connect with one or more mobile phones one or more toll-free calls placed by one or more users of one or more communication devices to one or more toll-free numbers associated with the one or more mobile phones (C9, L1-8, Fig.1, teach No.24 as control component that connecting toll free call from mobile phones No.10).

2. Claims 12, 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Connolly (Patent No. 6,023,504).

Consider **claims 12, 20**, Connolly teaches a method, comprising the steps of: bypassing one or more service control point components with one or more toll-free calls from one or more communication devices to one or more toll-free numbers (C3, L25-40, C4, L46-59, teach toll free call are connected without SCP); and connecting the one or more toll-free calls with one or more mobile phones associated with the one or more toll-free numbers (C1, L13-40, C4, L50-67, C5, L1-3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spadlin (Patent No. 5,946,623) in view of Bolduc et al. (Patent No. 6,681,008).

Consider **claim 2**, Spradlin teaches the apparatus of claim 1, wherein the one or more control components comprise a first control component and a second control component, wherein the one or more toll-free calls placed by the one or more users of the one or more communication devices to the one or more toll-free numbers associated with the one or more mobile phones comprise a toll-free call placed by a user of a communication device to a toll-free number associated with a mobile phone; wherein the first control component compares the toll-free number to one or more telephone numbers stored in a database component (C9, L1-8, C11, C25-40). Spradlin teaches the limitation of claim as discuss **but fail to teach** wherein if the toll-free number matches one or more of the one or more telephone numbers located in the database, then the first control component passes the toll-free call through the second control component to bypass a service control point component responsible for translating one or more other toll-free numbers of one or more other toll-free calls that are unassociated with the one or more mobile phones into one or more standard telephone numbers.

In an analogous art, Bolduc teaches "Automated toll free telecommunications information service and apparatus". Further, **Bolduc teaches** wherein if the toll-free number matches one or more of the one or more telephone numbers located in the database, then the first control component passes the toll-free call through the second control component to bypass a service control point component responsible for translating one or more other toll-free numbers of one or more other toll-free calls that are unassociated with the one or more mobile phones into one or more standard

telephone numbers (Abstract, C4, L62-67, C5, L1-50 teach the data controller which means as control component which matching more telephone numbers located in the database).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Spradlin and Bolduc system, such that toll free number associated/matches with mobile phone wherein telephone number stored in a database to provide means for verify/ identify caller with matching information for making toll free calls.

Consider **claim 3**, Spradlin teaches the apparatus of claim 2, wherein the communication device comprises a telephonic device; wherein the first control component comprises a mobile switching center or a call state control function of a public switched telephone network (C6, L25-67, Fig.1 Illustrate No.24 as switching telephone network); wherein upon placement of the toll-free call by the user of the telephonic device to the toll-free number, the mobile switching center or the call state control function of the switched telephone network passes the toll-free call through the second control component to bypass the service control point component (C9, L1-8).

4. Claims 4-8, 10-11, 14-16, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spradlin (Patent No. 5,946,623) in view of Bolduc et al. (Patent No. 6,681,008) and further view of Connolly (Patent No. 6,023,504).

Consider **claim 4**, Spradlin teach the apparatus of claim 2, wherein the mobile phone comprises a first mobile phone, wherein the communication device comprises a second mobile phone; wherein the first control component comprises a mobile switching center or a call state control function of a public land mobile network (C1, L63-67, C2, L1-24, C3, 64-67, C4, L1-13 teach home wireless as first mobile phone and subscriber wireless as second mobile phone wherein contain switching system). Spadlin teach the limitation of claim as **discuss but fail to teach** wherein upon placement of the toll-free call by the user of the second mobile phone to the toll-free number of the first mobile phone, the mobile switching center or the call state control function of the first land mobile network passes the toll-free call through the second control component to bypass the service control point component.

In an analogous art, Connolly teaches "Telephone service". Further, Connolly teaches wherein upon placement of the toll-free call by the user of the second mobile phone to the toll-free number of the first mobile phone, the mobile switching center or the call state control function of the first land mobile network passes the toll-free call through the second control component to bypass the service control point component (Abstract, C3, L26-40, C4, L12-59).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Spradlin, Bolduc and Connolly, such that mobile phone comprises a first/second mobile phone, mobile switching center passes the toll-free call through the second control component to bypass the service control point component to provide means for identify originate of toll call for settlement

and billing.

Consider **claim 5**, Spradlin teach the apparatus of claim 1, wherein the one or more control components comprise a first control component and a second control component, wherein the one or more toll-free calls placed by the one or more users of the one or more communication devices to the one or more toll-free numbers associated with the one or more mobile phones comprise a toll-free call placed by a user of a communication device to a toll-free number associated with a mobile phone (C3, 64-67, C4, L1-13).

Connolly teaches wherein the first control component passes the toll-free call placed by the user of the communication device to the second control component, wherein the second control component routes the toll-free call to the mobile phone associated with the toll-free number (Abstract, C1, L27-44, Fig.1, Illustrate No.10 as first control component and No.13 as second control component).

Consider **claims 6, 8, 14, 16**, Connolly teaches the apparatus of claim 5, wherein the second control component searches a home location register component for an entry associated with the toll-free number to make a determination of a location of the mobile phone; wherein the second control component connects the toll-free call to the mobile phone at the location (C3, L26-40, Fig.1 Illustrate system PSTN/switch in each ONO and TNO which inherently contain home location register).

Consider **claims 7, 15**, Spradlin teaches the apparatus of claim 5, wherein the mobile phone is associated with the toll-free number and a standard telephone number; wherein the second control component employs the toll-free number to make a determination of the standard telephone number associated with the mobile phone, wherein the second control component employs the standard telephone number to make a determination of a location of the mobile phone (C8, L63-67, C9, L1-7, C11, L25-43).

Consider **claims 10, 18**, Spradlin teaches the apparatus of claim 1, wherein the one or more toll-free calls placed by the one or more users of the one or more communication devices to the one or more toll-free numbers associated with the one or more mobile phones comprise a toll-free call placed by a user of a communication device to a toll-free number associated with a mobile phone, wherein the mobile phone is associated with the toll-free number and a standard telephone number (C9, L1-8, C11, C25-40);

Connolly teaches wherein the control component sends an indicator of the toll-free call placed by the user of the communication devices to the toll-free number to the mobile phone; wherein a user of the mobile phone employs the indicator to distinguish the toll-free call from a standard telephone call (C3, L1-19).

Consider **claims 11, 19**, Connolly teaches the apparatus of claim 1, wherein the one or more control components compile billing information of the one or more toll-free

calls, wherein one or more owners of the one or more mobile phones are responsible for one or more bills based on the billing information; wherein the one or more users of the one or more communication devices are free from responsibility for the one or more bills (Abstract, C1, L12-27, C4, L1-12).

5. Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Connolly (Patent No. 6,023,504) in view of Bolduc et al. (Patent No. 6,681,008)

Consider **claim 13**, Connolly teaches The method of claim 12, wherein the one or more toll-free calls from the one or more communication devices to the one or more toll-free numbers comprise a toll-free call from a communication device to a toll-free number, wherein the one or more mobile phones comprise a mobile phone, wherein the one or more service control point components comprise a service control point component, wherein the step of bypassing the service control point with the toll-free call from the communication device to the toll-free number comprises the steps of (C1, L13-40, C4, L50-67, C5, L1-3).

Bolduc teaches receiving the toll-free call to the toll-free number from the communication device; matching the toll-free number with a telephone number of one or more telephone numbers stored in a database component; and passing the toll-free call to the mobile phone (Abstract, C4, L62-67, C5, L1-50).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

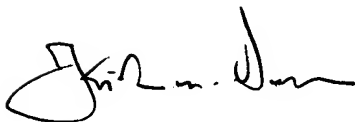
1. Bolinger, Jr. et al. (Patent No. 5,617,448).
2. Newdelman et al. (Pub. No. 2002/0147001).
3. Lehmacher et al. (Patent No. 6,343,123).
4. Chanda et al. (Patent No. 5,550,909).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863.

The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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